

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

LAKELAND HEALTH CARE  
ASSOCIATES, LLC., d/b/a  
WEDGEWOOD HEALTHCARE CENTER.  
Employer

and

Case 12-RC-9426

UNITED FOOD AND COMMERCIAL  
WORKERS UNION, LOCAL 1625  
Petitioner

ORDER

Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review. Employer's request to stay the election is also denied as moot.

WILMA B. LIEBMAN, CHAIRMAN

CRAIG BECKER, MEMBER

Member Hayes, dissenting:

I would grant review. The Employer contends that its licensed practical nurses in the petitioned-for unit possess supervisory authority with reference to discipline, assignment, and direction. The Employer further contends that the nurses exercise independent judgment when they evaluate nursing assistants, and that if the nurses at issue were found not to be supervisors, there would be an inordinately low ratio of supervisors to employees. In my view, these contentions raise factual and legal issues that warrant fuller examination.

BRIAN E. HAYES, MEMBER

Dated, Washington, D.C., December 6, 2010.